IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JDUGMENT NO.372 OF 2006

IN

SUMMARY SUIT NO.2070 OF 2006

Kamlesh S. Shah ...Plaintiff

v/s

M/s Padmavati Construction Co. and anr. ...Defendants

Mr A.V. Jain i/b M/s A.V. Jain and Associates for Plaintiff.

None for Defendants.

CORAM : D.K. DESHMUKH J.

DATE : 7TH NOVEMBER 2006.

P.C. :-

1. The learned counsel appearing for plaintiff states that the defendants have been served with the summons for judgment on 15th September 2006. He undertakes to file affidavit of service within one week from today. The defendants have not filed any application seeking leave to defend the suit within the period as prescribed by Order 37 of C.P.C. The plaintiff therefore is entitled to a judgment. I have heard learned counsel appearing for plaintiff. Perused the documents filed with the plaint. Summons for judgment is granted. Suit of the plaintiff is decreed in terms of prayer clauses (a) and (b). Refund of court fees as per rules.

. Parties to act on the copy of this order duly authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.